

From: Christian Miller
To: Microsoft ATR,microsoftcomments@doj.ca.gov@inetgw,...
Date: 11/23/01 8:32pm
Subject: The Microsoft Settlement

Dear US Justice Department,

I do not believe the remedies reported in the news are going to have the slightest impact on Microsoft's predatory marketing practices, and subsequent illegal abuse of monopoly power.

Take, for one small example, the case that started it all: internet browsers. Since the time the case started, Microsoft bundled their browser for free, and essentially drove all other browsers out of the market. They claim they have a right to do this, and that they are only serving consumer needs.

But their most recent versions -- including ALL browsers shipped with the new Windows XP -- have made a significant change: they no longer support industry-standard third-party browser plug-ins for presenting specialized content, such as movies, sound, animation, and virtual reality.

This means that third-party content providers, such as Real Audio, Macromedia Flash, Adobe PDF, and Apple QuickTime -- just to name a few of the larger players -- no longer function under Microsoft's browsers using the standard installation procedure. Instead, they must provide special installations that go through an additional layer of software -- Active X -- that Microsoft's own content provisioning software does not go through.

This means that ordinary consumers will have to struggle needlessly to install third-party content provisioning software, but perhaps more importantly, if they do actually get through that struggle, the third-party plug-ins will run more slowly and with less capability than will Microsoft's own content provisioning software.

This also means that some 90% of new computers sold cannot properly access my web site, which has Apple QuickTime content, whereas 90% of pre-Windows XP computers could.

With this move, done right under your collective noses while you negotiated

a cushy "hand slap" settlement, Microsoft not only successfully extended their operating system monopoly into the internet browser market, but now they have extended their browser monopoly into the content provider marketplace! They have broken the law once, and while being penalized, have broken it again.

Take heed of my prediction: now that Microsoft controls content provisioning, content will come next. Within three years, the average consumer with an "out of the box" computer will be unable to view any content that Microsoft has not provided.

With all due respect, the Ashcroft Justice Department is asleep at the wheel on this one. Quit meddling with "states' rights" Oregon and California, and concentrate on appropriately punishing large, multi-national companies who are already convicted of breaking laws.

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The Lamb that was Slain is the Lion now who Reigns.